

Appl. No. : 10/524,443
Filed : May 18, 2005

REMARKS

Restriction to one of the following groups was required under 35 USC 121 and 372:

- Group I Claims 1-3, 5-7, and 9-13, drawn to a method for isolating infection defective hepatitis C virus structural protein complexes;
- Group II Claims 4, 8, 14, 20, and 21, drawn to a preparation of infection defective HCV-like particles;
- Group III Claim 15, drawn to a method of detecting antibodies reactive with hepatitis C virus;
- Group IV Claim 16, drawn to a method for identifying a substance that inhibits binding of hepatitis C virus to its host cell;
- Group V Claims 17-19, drawn to method for treating a subject exhibiting symptoms of HIV infection;
- Group VI Claim 22, drawn to method of inducing production of antibodies immunoreactive with HCV.

In response to this restriction requirement, Applicant provisionally elects Group I, that is, Claims 1-3, 5-7, and 9-13 with traverse. The Restriction Requirement is submitted to be improper because, according to MPEP 803, there are two criteria for a proper Restriction Requirement: (A) The inventions must be independent or distinct as claimed, and (B) There would be a serious burden on the examiner if restriction is not required. Here, the members of the group are sufficiently few in number that a search and examination of the group can be made without creating a serious burden on the examiner, thus restriction is improper and the requirement should be withdrawn.

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CONCLUSION

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If any points remain that can be resolved by telephone, the Examiner is invited to contact the undersigned at the below-given telephone number.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 12/18/06

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